

### **ORDINANCE NUMBER 2371**

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AS HERETOFORE AMENDED; BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF THREE TRACTS OF LAND ADDRESSED AS 14175 NORTH DALLAS PARKWAY, 13900 NORTH DALLAS PARKWAY AND 14098 INWOOD ROAD AND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SPRING VALLEY ROAD AND INWOOD ROAD AND EXTENDING EAST TO DALLAS NORTH PARKWAY, FROM PLANNED DEVELOPMENT ZONING DISTRICT NO. 41 (PD-41) AND PLANNED DEVELOPMENT ZONING DISTRICT NO. 65 (PD-65) TO PLANNED DEVELOPMENT NO. 76 (PD-76) ALLOWING HIGH DENSITY OFFICE DEVELOPMENT AND ANCILLARY USES; ESTABLISHING DEVELOPMENT STANDARDS FOR THE PD-76 ZONING DISTRICT: APPROVING AN ASSOCIATED CONCEPT PLAN; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INJUNCTIVE RELIEF: PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the Charter of the City of Farmers Branch, and the State Law with reference to granting of changes of zoning under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, the governing body of the City of Farmers Branch is of the opinion that a change in such zoning should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

**SECTION 1.** That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to change the zoning on the following described tracts of land from Planned Development No. 65 and Planned Development No. 41 to Planned Development No. 76, allowing high density office and other similar and related uses with performance and development standards as set out in Exhibit "B". Said tracts of land comprising 6.41 acres in area as shown on Exhibit "A" and generally described as follows:

Tract 1 is the A & H Subdivision, a 0.89 acre lot located on the west side of North Dallas Parkway approximately 250 feet south of Spring Valley Road and presently addressed as 14175 North Dallas Parkway. Tract 2 is a 4.19 acre parcel out of the Elisha Fike Survey, Abstract No. 478 located on the west side of North Dallas Parkway approximately 370 feet south of spring Valley Road and presently addressed as 13900 North Dallas Parkway. Tract 3 is a 1.33 acre parcel and a part of the Inwood Road Office Development Addition located at the southeast corner of Inwood Road and Spring Valley Road and presently addressed as 14098 Inwood Road.

- **SECTION 2.** That all uses in Planned Development Zoning District Number 76 (PD-76) shall conform in operation, location and construction to the development standards set forth in Exhibit "B" and, except as modified by Exhibit "B", to those established by the Comprehensive Zoning Ordinance of the City of Farmers Branch.
- **SECTION 3.** That the attached Concept Plan as shown on Exhibit "C", establishing the general development intent within the Planned Development No. 72 zoning district, is hereby approved and incorporated as a part of this ordinance. Any amendment of the approved Concept Plan therefore shall constitute an amendment to the PD-76 zoning district and follow the same procedure as required for a zoning change or amendment.
- **SECTION 4.** That the above described tracts of land shall be used only in the manner and for the purpose provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch as heretofore amended, and as amended herein.
- **SECTION 5.** That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, and upon conviction shall be punished by a fine not to exceed the sum of two-thousand dollars (\$2,000.00) for each offense.
- **SECTION 6.** If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
- **SECTION 7.** In addition to, and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

**SECTION 8.** That this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance as the law in such case provides.

Duly passed by the City Council of the City of Farmers Branch, Texas, on this the <u>2nd</u> day of <u>February</u>, 1998.

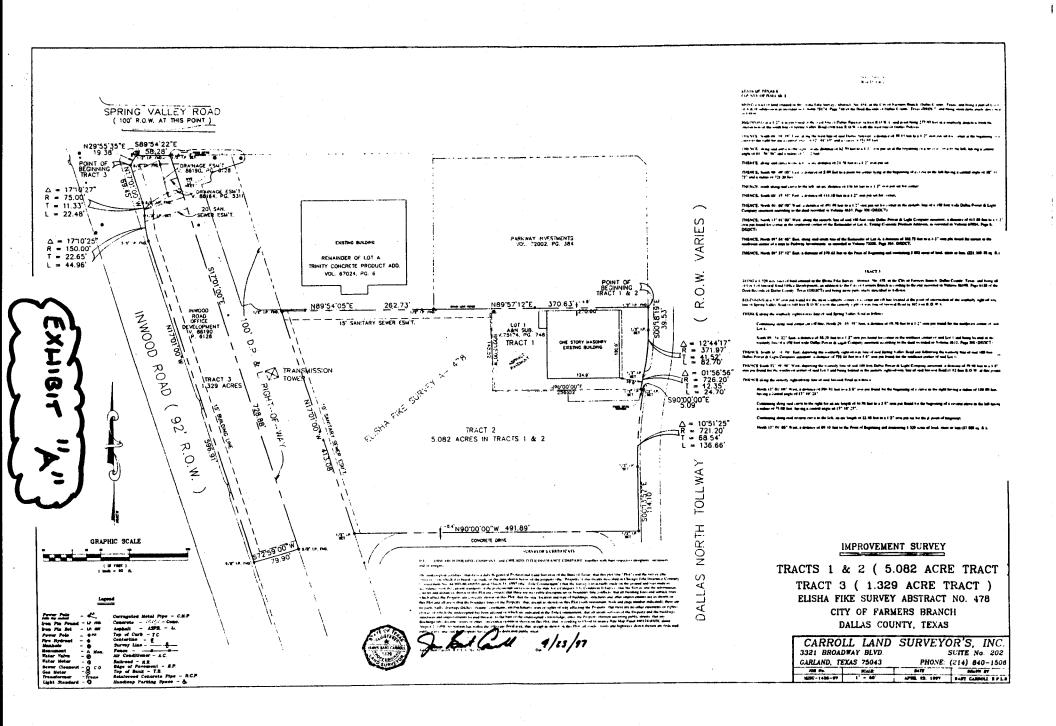
ADOPTED:

Mayor

APPROVED AS TO FORM:

City Secretary

ATTEST:

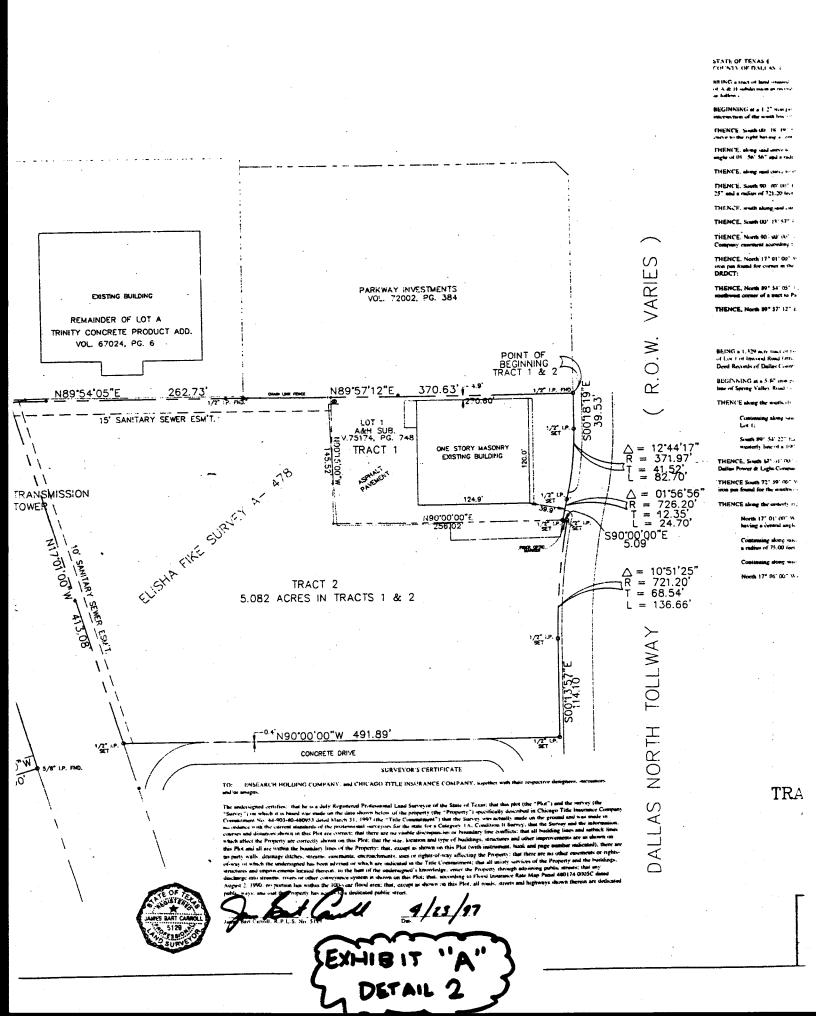


SPRING VALLEY ROAD ( 100' R.O.W. AT THIS POINT ) S89\*54\*22"E POINT OF BEGINNING TRACT 3  $\triangle = 1710'27''$  R = 75.00'T = 11.33'20 SAN. 22.48 SEWER ESM'T. EXISTING BUILDING  $\Delta = 17^{\circ}10^{\circ}25^{\circ}$ R = 150.00' T = 22.65' REMAINDER OF LOT A TRINITY CONCRETE PRODUCT ADD. 517:01:00"E 44.96 VOL. 67024, PG. 6 MWOOD ROAD (92' R.O.W.) INWOOD ROAD OFFICE DEVELOPMENT V. 86190 -100 15' SANITARY SEWER ESM'T. 145.52 D.P. ١١. 2/3 11 8 ELISHA FIVE SURVEY TRANSMISSION TOWER \ RICHT-OF-WAY-TRACT 3 1,329 ACRES 728.88 TRACT 2 596.91 5.082 ACRES IN TR W\_\_00,00,00,00 1/2° id SET CONCRETE DR GRAPHIC SCALE \$72.59.00 W ENSEARCH HOLDING COMPANY, AL ( DK FIGHT ) 1 book = 50 ft. Logend Power Pole from Pin Fou iron Pin Set Concrete - (200 - Conc. Top of Curb - T.C. Centerline - E Power Pole Fire Hydrant Manhole @ P.F. Survey Line -Monument Water Valve Water Meter Railroed - R.R.
Edge of Pavement - E.P.
Top of Bank - T.B.
Reinforced Concrete Pipe Sewer Clean C.O. - R.C.P.

DETAIL

Light Stand

sp Parking Space



THENCE, along said curve to the left, an are distance of 24,70 feet to a 1/2" a

# IMPROVEMENT SURVEY

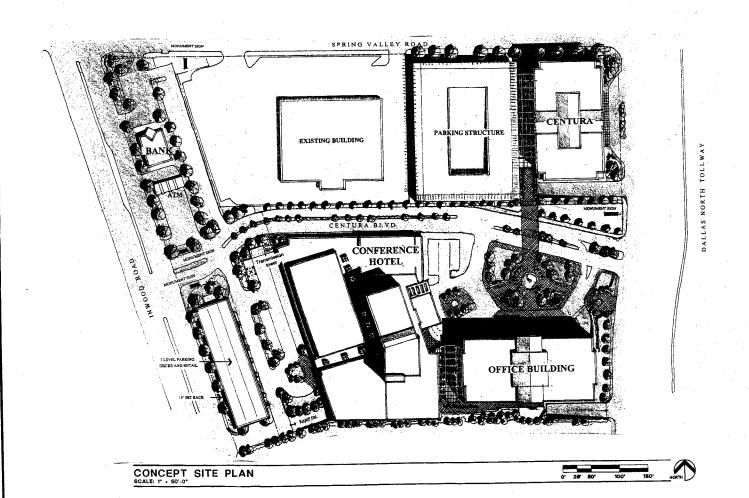
TRACTS 1 & 2 ( 5.082 ACRE TRACT TRACT 3 ( 1.329 ACRE TRACT ) ELISHA FIKE SURVEY ABSTRACT NO. 478 CITY OF FARMERS BRANCH DALLAS COUNTY, TEXAS

CARROLL LAND SURVEYOR'S, INC. SUITE No. 202 3321 BROADWAY BLVD. GARLAND, TEXAS 75043 PHONE: (214) 840-1506 DATE DRAFN BY: APRIL 23, 1997 BART CARROLL R.P.L.S

AY INVESTMENTS 72002, PG. 384 POINT OF BEGINNING TRACT 1 & 2 370.63' (- 4.9' S001819" 39.53 :/2" I.P SET B. 748 ONE STORY MASONRY  $= 12^{\circ}44'17''$ 1 EXISTING BUILDING = 371.97' $\triangle = 01^{\circ}56'56'$  R = 726.20' I = 12.35' L = 24.70'124.9 N90"00"00"E `S90**\***00'00"E 5.09  $\triangle = 10.51.25$  R = 721.20 T = 68.54= 136.66RVEYOR'S CERTIFICATE

4/23/97

MISC-1436-97





VICINITY MAP



#### STATISTICAL SUMMARY

Project Name Proposed Uses Zoning District Site Area

Office, Hotel, Banking, Retail Planning Development (PD) 6.41 scree (279,064 s.f.) Office - 32,000 s.f. Hotel - 70,000 s.f.

> FARMERS BRANCH, TEXAS

CENTURA

OFFICE, HOTEL

BANKING, RETAIL

TGS ARCHITECTS

ARCHITECTURE

PLANNING

5328 SPRING VALLEY ROAD

SUITE 200 DALLAS, TEXAS 75840

972.768.2309 FAX 972.768.1945

JAN 7

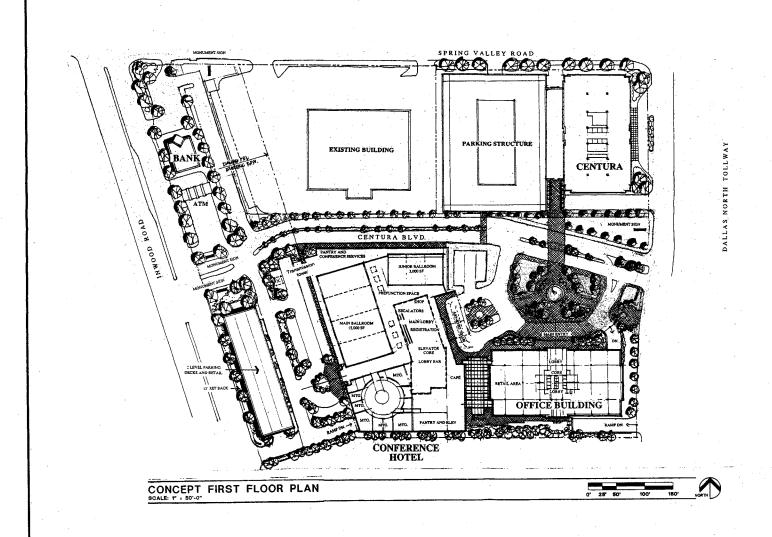
PLANNING DEPARTMENT

ONCE TO SECURITY OF SECURITY O

CONCEPT SITE PLAN

97087

A101





VICINITY MAP

ATH!

5323 SPRING VALLEY ROAD SUITE 200 DALLAS, TEXAS 75240 972.788.2309 FAX 972.788.1945

TGS ARCHITECTS

ARCHITECTURE

#### STATISTICAL SUMMARY

Project Name-Proposed Uses-Zoning District Site Area-Building Areas-

Centure Office, Hotel, Banking, Retail Planning Development (PD) 6.41 acres (279,064 a.f.) Office - 32,000 a.f. Hotel - 70,000 a.f.

CENTURA

BANKING,
RETAIL

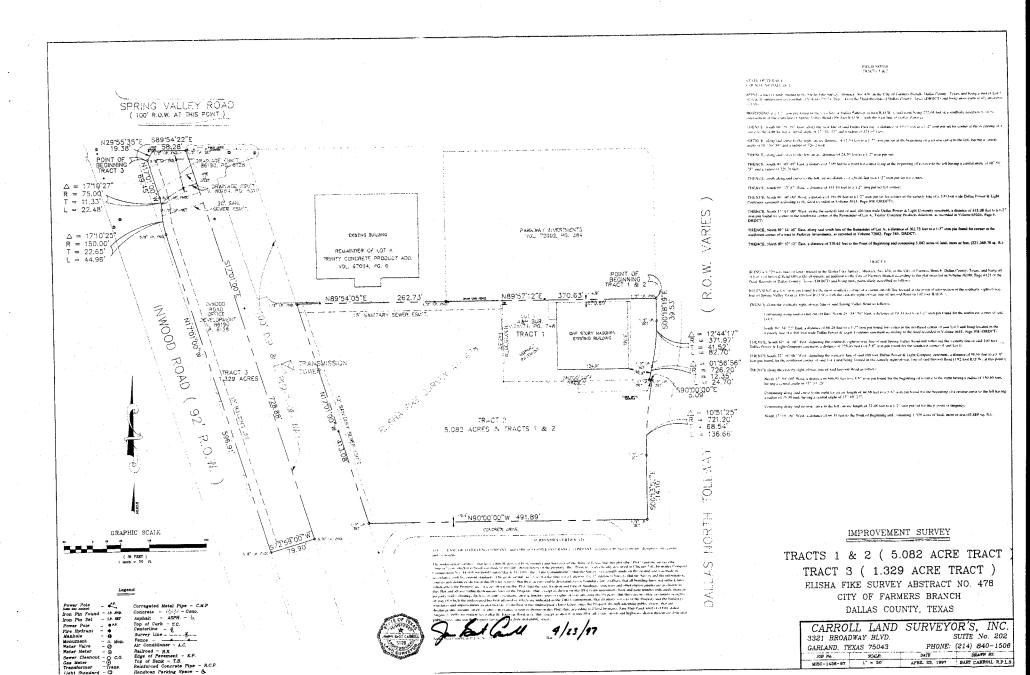
FARMERS BRANCH, TEXAS

| SHEET | 1504 | SHEET | 1511.7.3.7. | CONSERT APPRENUE | CAPACE |

CONCEPT FIRST FLOOR PLAN

97087

A102



#### **EXHIBIT "B"**

# DEVELOPMENT STANDARDS FOR PLANNED DEVELOPMENT ZONING DISTRICT NUMBER 76 (PD-76)

Full compliance with the following standards shall be required with regard to the use(s), operation, siting, design and construction of any building structure(s) and/or other property or physical improvements located within this Planned Development Zoning District (the "District").

# **A. USES:** The following uses shall be permitted within the District:

# 1. <u>Principal Uses Permitted:</u>

- a. Office buildings (includes, but is not limited to: provide corporate offices, professional offices, medical and diagnostic offices).
- b. Banks, savings, and loan associations, and other financial institutions.
- c. Medical and dental laboratories.
- d. Drive-in banking facility.

# 2. Secondary Uses Permitted

- a. Barber and beauty shops.
- b. Bakery and Confectionery shop (retail).
- c. Cafeteria.
- d. Cleaning and pressing, small shop or pick up.
- e. Customer personal service shop.
- f. Florist or garden shop.
- g. Mimeograph, stationery, or letter shop.
- h. Studio for photographer, musician or artist.
- i. Optical shop.
- i. Travel agency.
- k. Snack and sandwich shop.
- 1. Print shop.
- m. Restaurant.
- n. Gift, sundries, clothing and jewelry.

# 3. Specific Use Permit Required:

- a. Hotel.
- b. Conference Center.
- c. Retail as a principal use.
- d. Skating rink, roller or ice.
- e. Private club.

- f. Health club or studio, public and private.
- g. Transportation related uses.
- h. Theater.

# 4. <u>Use Limitation:</u>

- a. All development occurring within the District, whether constructed at one time or in phases, shall be done in strict accordance with all requirements established by the City, including but not limited to these Standards.
- b. Secondary uses shall be permitted only within office or hotel uses.
- c. The gross floor area of secondary uses, except parking, shall not exceed twelve percent (12%) of the total principal uses of the development.
- d. All primary uses shall be permitted only in locations specifically designated on an approved Site Plan. Any secondary use(s) shall be located within a main building structure with a primary use, unless otherwise designated on the approved Site Plan.
- e. No change in the location of primary uses approved on the Site Plan for the District shall be permitted unless an amended Site Plan showing the proposed location of a use or uses is resubmitted in accordance with all requirements herein stipulated and approved by the Planning and Zoning Commission and City Council.
- **B. DENSITY:** The term density as used herein shall mean the relationship between the total gross square footage of any above grade buildings, excluding parking structures, within the District and the square footage area of the land area comprising the District. The maximum density permitted within the District shall be determined as follows:

#### 1. Floor Area Ratio:

The maximum allowable floor area ratio (F.A.R.), computed by comparing the total gross square footage of any above-grade buildings, excluding parking structures, within the District, and the gross land area of the District as measured in square feet shall, not exceed a four to one ratio (4:1), with such building structure calculation including the square footage area of all at-grade and above grade buildings, excluding parking structures. Any below-grade building structures and related accessways and/or parking structures shall not be included in the building structure calculation in determining this ratio.

# 2. <u>Maximum Building Floor Area:</u>

The maximum gross square footage of any above-grade buildings, excluding parking structures, (and not including any below-grade building structures and related accessways and/or parking structures) located within the District shall not exceed a total of 1,117,053 gross square feet.

- C. MAXIMUM BUILDING HEIGHT: The maximum building height, in feet, of any building structure at any location within the District, said height being measured from proposed finished grade at any such structure to the top of its highest physical protrusion above the ground, shall be that height in feet established in writing by the Federal Aviation Authority (the "FAA") in a form satisfactory to the City. In calculating the height of any building structure, parapets, penthouses, signs, antennae or any other elements protruding above the roof of the upper most floor, shall be included in said calculation. The City Staff shall certify the final approved height for each and every building within the District prior to the issuance of a permit for its construction.
- **D. SETBACKS:** The minimum setback distances from the right-of-way line of public streets and adjacent property lines are as follows:

# 1. Spring Valley Road:

Twenty-five (25) feet for surface parking areas and all above-grade buildings or structures.

# 2. Dallas North Parkway:

Twenty-five (25) feet for surface parking and all above-grade buildings or structures.

#### 3. Inwood Road:

Fifteen (15) feet surface parking and all above-grade buildings or structures.

# 4. Side and Rear Property Lines:

To be established at time of site plan approval.

# 5. <u>Underground Setbacks:</u>

To be established at time of site plan approval.

- E. BUILDING SITE COVERAGE: Maximum ground floor gross square foot building coverage including parking structures, atriums and all other buildings, within the District, shall not exceed sixty-five percent (65%) of the total square foot area of the District.
- **F. SIGNAGE:** The size, quantity, location and type of on-premise signs allowed within the District shall be determined by the approved site plan. Any other signage shall be permitted in accordance with Section 8-108 of the Comprehensive Zoning Ordinance relative to Planned Development (PD) districts.
- **G. LANDSCAPED OPEN SPACE:** The following sections shall establish requirements for the provision of Landscaped Open Space within the District.
  - 1. Landscaped Open Space area provided within the District shall be not less than fifteen percent (15%) of the total square foot area of the District remaining after deduction of any public street right-of-way dedications along the external boundaries of the District.
  - 2. For the purpose of these Development Standards, Landscaped Open Space shall be defined as those unpaved areas within the District which are planted with trees, shrubs, ground cover, grass and flowering plants.
  - 3. Landscaped Open Space as hereinabove defined shall be limited to areas within the District located outside the external walls of building structures. Open courtyard areas internal to buildings are specifically excluded from being counted in meeting minimum landscaped open space requirements provided herein.
  - 4. All Landscaped Open Space areas within the District shall be supplied with a fully automatic irrigation system.
  - 5. All Landscaped Open Space areas and supporting automatic irrigation systems within the District shall be provided in strict accordance with the landscape and irrigation plan required under these standards and any other applicable requirements of the City of Farmers Branch.
  - 6. All Landscaped Open Space and other physical development located within the District shall conform with the City pathway system, as may be amended.
  - 7. A minimum of one (1) tree, no less than three (3) inches in diameter, measured at a height of one (1) foot above the ground at time of planting, is required for every twenty-five feet (25) lineal feet of street frontage. Fractions equal to, or greater

than, 0.5 shall be rounded up to the next higher number. Required trees shall be planted within the required front yard setback and/or within the adjoining street right-of-way as determined at time of site plan approval. The species of all required trees shall be identified on the landscape plan and subject to approval at time of Site Plan approval.

- 8. All required front yard setback areas shall be used exclusively as landscaped open space as herein defined and shall include, in addition to required trees, use of earthen berms, shrubbery plantings, seasonal color beds, plant groupings, and/or other varied and distinctive landscape treatments and features as may be approved on the landscape plan at time of Site Plan approval.
- **H. PARKING:** Parking spaces shall be provided for the proposed uses at the following minimum ratios:
  - 1. Offices (other than medical offices): three (3) spaces per one thousand (1,000) square feet of gross floor area.
  - 2. Medical and Diagnostic Offices: one (1) space per one hundred seventy-five (175) square feet of gross floor area.
  - 3. Hotels: one (1) space for each of the first two hundred fifty (250) rooms; three-quarter (3/4) space per room for two hundred fifty-one (251) to five hundred (500) rooms; and one-half (1/2) space per each additional room in excess of five hundred (500), plus such spaces as required by restaurants, ballrooms and affiliated facilities.
  - 4. Retail and affiliated office support services: one (1) space per two hundred-fifty (250) square feet of gross floor area.
  - 5. Eating establishments: one (1) space per one hundred (100) square feet of gross floor area.
  - 6. Standard parking spaces shall measure at least nine (9) feet wide and eighteen (18) feet in length.
  - 7. A maximum of twenty percent (20%) of the required parking may be dedicated to compact vehicle spaces measuring not less than eight (8) feet wide and sixteen (16) feet in length.

#### I. LOADING:

1. All office, hotel and restaurant uses shall provide and maintain off-street loading facilities in the quantities stated below:

#### a. Office uses:

i. One (1) space per each 100,000 square feet of gross floor area, to a maximum of three (3) per building.

#### b. Hotel/Conference uses:

i. One (1) space per each 100,000 square feet of gross floor area, to a maximum of three (3).

#### c. Restaurant uses:

- i. One (1) space per each 10,000 square feet of gross floor area, to a maximum of three (3).
- 2. City Staff shall determine the off street loading requirements for uses not specified based on the most similar use listed above.
- 3. A structure containing more than one use must meet the loading requirements of each use unless one use occupies 90% or more of the gross building area, in which case the loading requirement is calculated as if that use occupied the entire structure.
- 4. Dimensions of loading facilities, including tractor trailer facilities, will be determined and recommended by the City Staff as a part of the approved site plan. Loading facilities shall consist of a minimum area of 10 feet by 45 feet. Loading facilities for more than one building may be provided in a common terminal if connections between building and terminal are off-street.
- 5. Loading facilities shall be designed to minimize interference with traffic flow to eliminate the need to use any public street for maneuvering of any delivery vehicle.
- **J. STREETS:** All public streets and rights-of-way, public alleys, and fire lanes within the District shall be constructed in conformance with City engineering design criteria.
- K. CONCEPT PLAN APPROVAL: Prior to the submittal of the first Site Plan for property within the District, a Concept Plan shall be submitted and approved. Said Concept Plan shall be

for the purpose of establishing the general development intent within the District based upon the standards, provisions and requirements established herein. Once approved, any amendment of said Concept Plan shall follow the same procedure as required for a zoning change or amendment.

- L. SITE PLAN APPROVAL: Prior to beginning of any development on a building site within the District a comprehensive Site Plan detailing the proposed development shall be submitted for approval as required by paragraph 8-502 of the Comprehensive Zoning Ordinance. This submittal shall be required before a building permit shall be issued. The following are the submittal requirements for such approval:
  - 1. A vicinity map as part of the Site Plan.
  - 2. A boundary survey of the building site including the following:
    - a. Metes and bounds of all boundary lines of the building site.
    - b. Total land area within the property.
    - c. Graphic scale and north arrow.
    - d. Names and route numbers of boundary streets and rights-of-way.
  - 3. A detailed and to-scale Site Plan showing:
    - a. Existing and proposed public or private streets and curb cuts.
    - b. Existing and proposed building and parking structure locations, including size in number of square feet, number of floors, number of spaces in parking structures and height above grade. This should include a statement of maximum allowable building heights as restricted by the FAA.
    - c. Landscape plan for Landscaped Open Space areas within the Property to include:
      - i. A planting plan showing the proposal locations, types and sizes at time of planting, types of trees, shrubs, ground cover, flowering plants and other plant material.
    - d. Proposed at-grade parking lots and loading facilities.
    - e. A statement of proposed floor area ratio, building site coverage ratio, and landscape area ratio.
    - f. Anticipated uses within the building site.

- 4. If any portion of the buildings or parking structures within the building site are to be located below grade, a separate below grade building site plan shall also be submitted.
- 5. A traffic impact study based upon guidelines established by the City Engineering Department.
- 6. Any other information requested by Staff, Planning and Zoning Commission, and/or City Council reasonably necessary to determine compliance of the Site Plan with the Comprehensive Zoning Ordinance, as amended hereby.
- **L. SITE PLAN EXPIRATION:** In the event a building permit related to an approved Site Plan, has not been issued within two (2) years from the date of its approval, such approval shall expire. Submittal of a new site plan, in accordance with the requirements of Section 8-502 of the Comprehensive Zoning Ordinance and those established herein, shall then be required prior to the issuance of any building permits related to development of property within the District.
- **M. PHASING:** Prior to the issuance of any building permit relative to the development of a principal or secondary use within the District in accordance with the approved Concept Plan, the Inwood Road and Spring Valley Road intersection shall be configured to include the following: two (2) exclusive left-turn lanes from northbound Inwood Road onto westbound Spring Valley Road; two (2) northbound through lanes; and one (1) exclusive right-turn lane from northbound Inwood Road to eastbound Spring Valley Road.
- N. DRAINAGE: At such time that application is made to the City for approval of a site plan relative to development of property within the District, said application shall include drainage analysis adequate to determine the effects such development will have on Farmers Branch Creek. The drainage analysis shall identify and provide for appropriate means to mitigate adverse effects that the development may have on Farmers Branch Creek. Actions that are determined by the City as appropriate to mitigate adverse effects shall be approved by the City and included in the site plan or site plan approval shall not be granted. This provision does not supersede or supplant any other drainage related analysis or engineering that may required by other ordinances of the City of Farmers Branch."